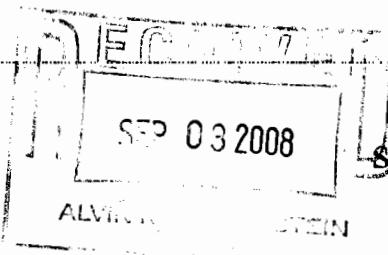


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Hon. Alvin K. Hellerstein  
 United States District Court  
 Southern District of New York  
 500 Pearl Street  
 New York, New York 10007  
 By Fax 212-805-7942



September 3, 2008

*adjourned to Sep. 8,  
 2008, 3<sup>00</sup> p.m.  
 9-3-08*

*Alvin K. Hellerstein*

Re: *Garcia v. Marshall* 02 Civ 7353 (AKH)

Dear Judge Hellerstein:

I am writing to the Court to respectfully request a rescheduling of the conference in the above captioned matter currently scheduled for Monday, September 8, 2008 at 10:30 am. I have spoken to my adversary, ADA Hilary Hassler who consents to this request.

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Unfortunately, I have a deposition scheduled for Monday, September 8, at 10:00 am which conflicts with the conference scheduled by the Court in this matter. Both ADA Hassler and I are available in the afternoon on Monday, or any other time or day next week at the convenience of the Court.

If it is possible to reschedule the conference, I would very much appreciate it. Thank you for your time and consideration.

Respectfully submitted,

*SJW*  
 Susan J. Walsh  
 Attorney for Petitioner Garcia

cc: Hilary Hassler, Esq. (212) 335-9288

